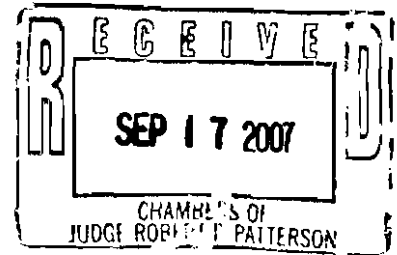


**SANFORD COHEN**  
*Attorney at Law*  
 PREL PLAZA  
 SUITE 5  
 ORANGEBURG, NEW YORK 10962

TELEPHONE (845) 359-8855  
 FAX (845) 365-2328



*Linda Feggans*  
*Of Counsel*  
VIA FAX ONLY (212) 805-7917

September 14, 2007

Hon. Robert P. Patterson, Jr.  
 United States District Court  
 Southern District of New York  
 United States Courthouse, RM 2550  
 500 Pearl Street, NY 10007  
 Attn: Deana El-Mallawiny

**MEMO ENDORSED**

USDC SDNY  
 DOCUMENT  
 ELECTRONICALLY FILED  
 DOC #:  
 DATE FILED: 9/17/07

RE: **NNJ FACTORS, LLC v. JOYCE - 07 CIV. 3099 (RPP)**  
Defendant's Request to file a FRCP 12(b)(3) Motion to Dismiss

Dear Judge Patterson:

I write this letter to respectfully request the Court to extend Defendant's time to file a motion to dismiss on the basis of improper venue.

The Court had earlier forwarded a briefing schedule for this motion, but due to some business conflicts, I was unable to meet said schedule. Plaintiff has commenced suit in this matter in the District Court of New Jersey.

With the Court's permission, I will file and serve a motion to dismiss by close of business, Monday, September <sup>17</sup>~~16~~, 2007. Otherwise, Defendant will have to simultaneously defend a suit on the same operative facts in two jurisdictions.

Thank you for your courtesies, and my apologies for any inconvenience to the Court.

Sincerely,

*[Signature]*

SANFORD COHEN, ESQ.

CC: Daniel Crupain, Esq. (via fax - 212-406-6890)

**SEE TYPEWRITTEN MEMO  
 ENDORSEMENT ATTACHED**

*Application Denied*  
*Defendant has not shown that*  
*it has filed an appearance in*  
*the two jurisdictions as promised*  
*in earlier communications to the Court.*  
*So ordered*  
*Robert P. Patterson Jr.*  
*USDC*  
*9/17/07*

Case: NNJ Factors, LLC v. Joyce  
Index No. 07 Civ. 3099 (RPP)

**MEMO ENDORSEMENT READS:**

*Application denied.*

*Defendant has not shown that it has filed an appearance in the New Jersey action as promised in earlier communications to the Court.*

*So ordered.*

*Robert P. Patterson, Jr., U.S.D.J., 9/17/07*